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Messrs. Scott and Beaman have entitled themselves to the gratitude of all those who have occasion to consult federal statutes.

E. F.

The Development of the State: Its Governmental Organization and Its Activities. By JAMES QUAYLE DEALEY. (New York: Silver, Burdett and Company. 1909. Pp. 343.)

"The writer has endeavored to show that the state develops in accord with definite laws and principles, and that these are largely determined by the conditions of economic and intellectual life. Progress comes therefore by purposive modification of such conditions through a governmental policy based on scientific knowledge." With this aim, Professor Dealey has written an uncommon book, strong in argument, thorough in scholarship, and inspiring both to the student and the citizen. Its basis lies in applied sociology. The fact is never lost sight of that the state is only one of the factors of civilization. It is, however, a dominant factor because it is able to utilize all other factors and bring them into unity of purpose, the progress of mankind.

The book consists of four parts, the first of which deals with general social development and the stages in the development of the state. The author does not support any one theory of the origin of the state, but attempts to find the place of each in the historical development from the horde to the organized society of today. Part 2 deals with sovereignty as the distinguishing characteristic of the state. Sovereignty is defined as the collective term for whatever power is possessed by the state. This identifies sovereignty with the so-called essential powers of police, taxation and eminent domain; but by the police power is meant the power to do anything needful for the safety and welfare of the nation, including the war power. Such an inclusive definition of the police power is not in accord with recent scientific thought, but is supported by judicial decisions in the United States. As elements in the exercise of sovereign powers are discussed economic regulation of ownership in land, commerce, food supplies, colonization and manufacturing. The relation of the state to the family and to the church is treated historically and sociologically.

Part 3 describes the organization of the modern state. The functions of government fall into five classes, viz., the deliberative, legislative,

executive, administrative and judicial. To the usual three departments for the performance of these functions, Professor Dealey is inclined to add two others the *electorate*, and the *legal sovereign*. The latter he defines as "that person or body of persons having the legal right to make, revise or amend the constitution of the state." The legal sovereign is typified by the constitutional convention. The electorate is "that body of citizens legally authorized to participate in the exercise of some of the sovereign powers of the state." The electorate through suffrage exercises the executive power of appointment; through the initiative and referendum, the legislative power; and through jury service the judicial power. By the use of the above two terms, confusion as to the meaning and location of sovereignty is avoided. The presentation of the whole subject of governmental functions and departments is clear and suggestive. The tendency to differentiate an administrative from the executive department is noticed, as also, in the United States, the possibility that ultimately the federal supreme court will devote itself only to interpretations of the constitution.

Part 4 treats of "law and citizenship." The development of law from custom, and its multiplication into complex systems by intercourse, by the growth of private property and social classes, and by formal legislation are traced. Public and private law, civil and criminal law, the ordinance, administrative law, constitutional law, the statute, equity, canon law and international law are explained in logical order. A chapter on "rights and political parties" shows how ethical or so-called natural rights become legal rights recognized by the state, through demands of the people. From differences of opinion on what should be expected of the state, modern political parties have arisen and have found their highest development in democracies. Political parties cannot rise above the level of intrigue without a wide diffusion of education and intelligence, and this end has been fostered in democracies through a proper emphasis on both the rights and duties of citizenship. The whole book leads up to a discussion of modern democracy as the highest type of government yet developed. "Democracy is not merely a political system; it is a condition for human development, an ideal of social life and a philosophic attitude of mind in regard to the larger interests of humanity as a whole. In its larger and truer aspects it implies the possibility of the attainment of higher civilization. In its political aspect it is merely the means whereby men attain real democracy." The saner and more humane international policy of today may be traced directly to the rise of democratic ideals.

Although this book is clear and brief, confining itself to essential principles and facts, it is by no means an elementary treatise. The subject as a whole is treated very broadly, presupposing a considerable knowledge of social science, economics and political theory. Its outlook is to society as a whole advancing by means of democratic state organization.

FREDERICK C. HICKS.

New Hampshire as a Royal Province. BY WILLIAM HENRY FRY, Ph.D.
(New York: Columbia University Studies in History, Economics
and Public Law. 1908. Volume xxix, no. 2. Pp. 526.)

This study is a careful and scholarly account of the provincial history of a colony that, playing a less conspicuous part in early American history than that of some of her neighbors, is frequently overlooked or only casually referred to. The author has made a careful investigation into original sources, to which he gives full and specific references in foot-notes; and, as a whole, the narrative is clear and well written.

The introductory chapter gives a fairly extensive historical summary of the colony from the original grants to its establishment as a royal province. The factional struggles and the contests over titles to land stand out as the chief events. In the main portion of the work, that discussing New Hampshire as a royal province from 1679 to the American Revolution, the author follows the topical rather than the chronological method. The executive, the legislature, the land system, finance, justice and military affairs are discussed in turn. While this leads to a certain amount of repetition in viewing the same events from different stand-points, the general effect is good. By this method, the clearness secured in developing the various institutions probably more than compensates for the lack of connected narrative.

To the student of political science, the study is especially interesting since it shows more clearly than usual the steps by which the governor's powers, extensive in the royal commissions, were gradually limited in practice, or taken over by the assembly. For this process, the author considers the intercolonial and Indian wars, coupled with the assembly's control of the purse, mainly responsible. The development of internal legislative organization—the bicameral system, the speaker, rules, committees, etc.—is also excellently portrayed. The disputes over land grants and boundaries, and the disastrous experiments in finance are typical of the American colonial period.